

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**DWIGHT B. COLE**

)  
) **CRIMINAL ACTION No.** *04-10294-GAO*  
)  
) **VIOLATIONS**  
) **Cts. 1 -3: 18 U.S.C. § 1709**  
) **(Theft of Mail Matter)**

**INDICTMENT**

**COUNT ONE  
(18 U.S.C. Section 1709)  
(Theft of Mail Matter)**

The Grand Jury charges:

Between on or about August 30, 2002, and on or about September 4, 2002, the exact date being unknown, in the District of Massachusetts,

**DWIGHT B. COLE,**

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to Raymond O'Neill and L. Dirosario O'Neill in the amount of \$8, 118.00, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

**COUNT TWO**  
**(18 U.S.C. Section 1709)**  
**(Theft of Mail Matter)**

The Grand Jury charges:

Between on or about September 9, 2002, and on or about September 12, 2002, the exact date being unknown, in the District of Massachusetts,

DWIGHT B. COLE,

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to Darryl Jenkins in the amount of \$12,716.61, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

**COUNT THREE**  
**(18 U.S.C. Section 1709)**  
**(Theft of Mail Matter)**

The Grand Jury charges:

Between on or about October 18, 2002, and on or about October 23, 2002, the exact date being unknown, in the District of Massachusetts,

DWIGHT B. COLE,

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to George D. and Karen S. Levy in the amount of \$34,388.00, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

NOTICE OF ADDITIONAL FACTORS

1. The loss or attempted loss related to Count One pursuant to U.S.S.G. § 2B1.1(b)(1) is \$8,118.
2. The loss or attempted loss related to Count Two pursuant to U.S.S.G. § 2B1.1(b)(1) is \$12,716.61.
3. The loss or attempted loss related to Count Two pursuant to U.S.S.G. § 2B1.1(b)(1) is \$34,388.

A TRUE BILL

*Mare E. Burke*  
FOREPERSON OF THE GRAND JURY

*Sandra S. Bower*  
SANDRA S. BOWER  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

September 22, 2004

Returned into the District Court by the Grand Jurors and filed.

*Thomas F. Quinn*  
DEPUTY CLERK

*9/22/04 2:15pm*

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency USPISCity Boston**Related Case Information:**County SuffolkSuperseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Defendant Name Dwight B. Cole Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 69 Charles Street, Apt. 5, Dorchester, MA 02122-1423Birth date (Year only): 1958 SSN (last 4 #): 6488 Sex M Race: \_\_\_\_\_ Nationality: US

Defense Counsel if known: \_\_\_\_\_

Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Sandra S. Bower Bar Number if applicable 0787700 (Florida)Interpreter: ☐ Yes ☒ No

List language and/or dialect: \_\_\_\_\_

Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☒ Regular Process☐ In Custody

Location Status: \_\_\_\_\_

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_  
☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial  
☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty ☐ Misdemeanor ☒ Felony 3

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☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 9-22-04Signature of AUSA: Sandra S. Bower

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District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Dwight B. Cole

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 USC 1709</u>	<u>Theft of Mail Matter</u>	<u>1-3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: \_\_\_\_\_